



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Docket No. 2698)

In re Application of:)	
)	
Bruce A. Pryor)	
)	Examiner Diego D. Herrera
Serial No.: 10/824,163)	
)	
Confirmation No. 6338)	Group Art Unit 2683
)	
Filed: April 14, 2004)	
)	
For: Banded Billing System for)	
Telecommunication Service)	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Dear Sir:

Applicant expresses appreciation for the Examiner's allowance of the present application. Applicant agrees that the art of record, whether considered alone or in combination, fails to disclose or suggest the entirety of each combination of steps and/or structure recited by each of the allowed claims.

Applicant respectfully notes, however, that reasons for allowance are only warranted in instances in which the record of the prosecution as a whole does not make clear the Examiner's reasons for allowing a claim or claims. In the present case, Applicant believes that the record as

a whole does make clear the reasons for allowance. Therefore, Applicant respectfully submits that the statement of reasons for allowance is unwarranted.

Further, Applicant believes that the statement of reasons for allowance in this case is improper as it recites language not recited in applicant's claims. For example, at page 2 of the Notice of Allowability, the Examiner seemed to suggest that the banded-pricing schedule of Applicant's claims necessarily starts with an initial band of 0-300 minutes and that each additional band is 24 minutes. However, at least allowed claim 4 does not require the numbers that the Examiner mentioned.

Respectfully submitted,

**McDONNELL BOEHNEN
HULBERT & BERGHOFF LLP**

Dated: _____

4/25/06

By: _____

Steven J. Funk
Reg. No. 35,875

